

**FISCAL NOTE**  
**SB 12 - HB 1253**

April 21, 2003

**SUMMARY OF BILL:** Establishes the *Drug Court Treatment Act of 2003* as follows:

- Requires that all drug courts in this state be established and operated in accordance to the general principles as established by the National Association of Drug Court Professionals, Drug Courts Standards Committee;
- Authorizes the Department of Finance and Administration, Office of Criminal Justice Programs, to provide drug court program oversight;
- Authorizes courts to apply for grant funds through the Office of Criminal Justice Programs;
- Requires court clerks to collect \$75.00 from any person entering a plea of guilty, nolo contendere, adjudicated at trial or entering any of the diversionary sentencing statutes for any drug offense.
- The first \$5.00 will be remitted to the Office of Criminal Justice Programs for oversight of the program. The remaining \$70.00 will be deposited into a dedicated county fund to be used to create or maintain a state approved drug court program. If there is no drug program in a county, the money will be remitted annually to the Office of Criminal Justice Program and placed in the Drug Court Resources Fund for the purpose of funding program oversight and grant awards;
- Specifies that special courts such as DUI courts, dual diagnosis courts, and reentry courts may be considered drug courts;
- Requires that drug court program participants to be non-violent offenders with substance abuse and/or chemically dependence problems who are willing to participate in a treatment program.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenues:**

**\$537,000 Earmarked for Drug Court Resources Fund**

**\$59,000 Earmarked Office of Criminal Justice Programs**

**Increase State Expenditures:**

**\$59,000 Office of Criminal Justice Programs**

**\$537,000 Earmarked for Grants to Drug Courts**

**Increase Local Govt. Revenues - \$826,000 Earmarked for Established  
or Proposed Drug Courts**

**Increase Local Govt. Expenditures - \$826,000 Earmarked for Drug Courts**

**Other Fiscal Impact - Cost avoidance exceeding \$1,000,000 for state and local governments resulting from reduced costs of incarceration for misdemeanor and felony drug related offenders who participate and successfully complete a drug court treatment program as an alternative to incarceration. Additional grants and fees will enable these courts to match federal funding available for the operation of drug court programs.**

Estimate assumes:

- 23,700 offenders convicted of misdemeanor or felony drug offenses will be assessed \$75.00 fee and 80% of the fees will be collected;
- Currently there are 12 drug courts operating and 7 drug courts are planned or proposed;
- Some drug courts are established by state criminal courts and some are established by general session's courts.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director